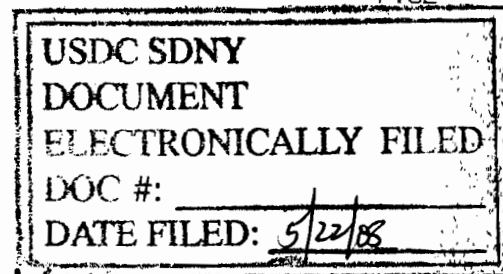


STATE OF NEW YORK

OFFICE OF THE ATTORNEY GENERAL



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Division of State Counsel

JUNE DUFFY  
Assistant Attorney General in Charge  
Litigation Bureau

[212-416-8118]

# MEMO ENDORSED

May 22, 2008

BY FAX: 212-805-7924  
Honorable Sidney H. Stein  
United State District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

Re: Voorhees v. Goord et al., 05 CV 0350 (SHS)(THK)

Your Honor:

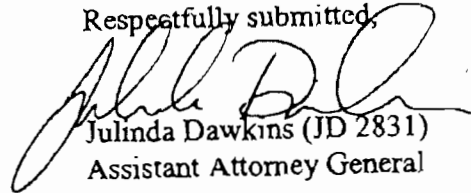
I am the Assistant Attorney General in the Office of Andrew M. Cuomo, Attorney General of the State of New York, assigned to the defense of this matter. I write on behalf of defendants David Casterline, Mark Hayo and Janaire Malloy ("defendants") to respectfully request a thirty (30) day extension of time to move for reconsideration of the March 27, 2008 Order from May 23, 2008 to June 23, 2008.

The parties are presently still exploring a possible resolution of this matter through settlement. On April 30, 2008 the parties appeared before Magistrate Judge Katz for a settlement conference. At that time, defendants agreed to provide an affidavit setting forth the steps taken to ensure that the water temperature of the newly installed showers at Bedford Hills Correctional Facility was not extremely hot. Defendants provided that affidavit on May 13, 2008. Plaintiff was given until May 21, 2008 to respond to the defendants' submission. To date, I have not received plaintiff's response. Therefore, an extension is necessary to provide plaintiff an opportunity to make a response, if any, and for the parties to continue their settlement discussions.

I did not request the consent of incarcerated plaintiff pro se because I wanted to make this request on behalf of defendants forthwith. This is the defendants' second request for an extension of time to submit their motion for reconsideration.

I thank the Court for its consideration in this matter.

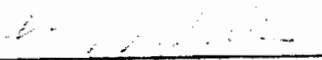
Respectfully submitted,

  
Julinda Dawkins (JD 2831)  
Assistant Attorney General

cc: Ms. Mary Voorhees  
Pro Se Plaintiff (by First Class Mail)  
DIN # 00G0980  
Bedford Hills Correctional Facility  
P.O. Box 1000  
Bedford Hills, New York 10507-2499

*Defendants' time to move for  
reconsideration of the 3/27/08 order  
is extended to 6/23/08.*

SO ORDERED 5/22/08

  
\_\_\_\_\_  
SIDNEY H. STEIN  
U.S.D.J.